PETITION FOR ZONING VARIANCE Westchester and Hollow Roads 1st Election District 1st Councilmanic District

1250' +/- W of the Intersection * DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY

Charles L. Wagandt Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

The Petitioner herein requests variances to permit window to street right-of-way setbacks varying from 18 feet to 24 feet in lieu of the required 25 feet; window to property line setbacks of 2 and 6 feet in lieu of the required 15 feet; and garage/carport to street right-of-way setbacks varying from 19 feet to 21 feet in lieu of the required 22 feet, respectively, for the proposed dwellings on Lots numbered 2 through 7, 10, 14 through 18 and 20 through 30 of Site 3, Oella, all as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared, testified and was represented by Nancy Hass, Esquire and Tami Daniel, Esquire. Also appearing on behalf of the Petition was Wesley Daub, Civil Engineer. There were no Protestants.

Testimony indicated that the subject property is a tract of land located off of Oella Avenue and Hollow Road. Testimony indicated that the Petitioner proposes constructing a 30-unit townhouse development on the subject property. Petitioner indicated that the proposed development is in keeping with the comprehensive plan for Oella.

Testimony presented by both Mr. Wagandt and Mr. Daub indicated that the requested variances were required due to the residential transition zone setback requirements and the topography of the land, which involves steep slopes to the rear. Testimony indicated that the housing

PETITION FOR ZONING VINIANCE #23 TO THE ZONING COMMISS, WE OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2.C.6 (CMDP V.B.6.a and CMDP V.B.6.b) and CMDP V.B.8 to permit setback requirements as indicated on the plat attached bereto instead of _the_required_1)_window_to_street_right-of-way_(25');_2)_window_to_property____ line (15'); and garage/carport to street right-of-way (22'), respectively for* of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) *the proposed dwellings on lots numbered 2 through 7, 10, 14 through 18, and 20 through 30 of Site 3, Oella.

Hardship: Due to residential trang gion zone setback requirements and steep slopes, subdivision of proposed townhouse residences create conditions of practical difficulty or unreasonable hardship in complying with referenced zoning standards.

> and advertised as prescribed by Zoning Regulations. ove Variance advertising, posting, etc., upon filing of this be bound by the zoning regulations and restrictions of

Zoning Law For Baltimore County, I/We do solemnly declare and affirm. under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): Charles L. Wagandt

MAR SW 3 I (Type or Print Name) (Type or Print Name) Oella Company

732 Oella Avenue 465-1700 _Ellicott_City._Maryland_2]043

JUU ton Name, address and phone number of legal owner, contract purchaser or representative to be contacted Baltimore, Maryland Whitman, Requardt and Associates City and State 2375 Saint Paul Street 625-3500 Attorney's Telephone No.: . Baltimore, MD 21218 235-3450

ORDERED By The Zoning Commission oner of Baltimore County, this _____ day

Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING -1/2HR. AVAILABLE FOR HEAHING MON./TUES./WED. - NEXT TWO HONTES

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* Case No. 89-156-A

units have been developed tightly around the road. Petitioner indicated he will comply with all CRG requirements and the comments of the Zoning Advisory Committee. Testimony presented further indicated that the granting of the requested variances will have no adverse impact on adjacent properties. The granting of the variances will not result in any detriment to the health, safety or general welfare of the neighborhood.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

> whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily

> whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested should be granted.

WHITMAN, REQUARDT and SOC DES

ZONING DESCRIPTION Lot 2, Site 3, Oella

BEGINNING on the northeast side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 697 feet northwest of Hollow Road and binding along said northeast side the following course and distance, (1) Northwesterly along a curve to the left, having a radius of 151.00 feet, for a distance of 22.76 feet, being subtended by a chord bearing and distance of North 51°28'40" West, 22.74 feet, thence leaving said northeast side of the proposed Entrance Road and running for lines of division the three following courses and distances, (2) North 42°55'59" East, 102.50 feet; (3) South 47°04'01" East, 22.67 feet; (4) South 42°55'59" West, 100.75 feet to the point

> Containing 0.0527 acres of land, more or less. Also known as Lot 2, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and SOCIATES

of BEGINNING.

June 23, 1988

ZONING DESCRIPTION Lot 3, Site 3, Oella

BEGINNING on the northeast side of the proposed Entrance Road of Site 3. Oella. 42 feet wide at a distance of 717 feet northwest of Hollow Road and binding along said northeast side the following course and distance, (1) Northwesterly along a curve to the left, having a radius of 151.00 feet, for a distance of 23.30 feet, being subtended by a chord bearing and distance of North 60°13'01" West, 23.28 feet, thence leaving said northeast side of the proposed Entrance Road and running for lines of division the following three courses and distances, (2) North 42°55'59" East, 107.79 feet; (3) South 47°04'01" East, 22.67 feet; (4) South 42°55'59" West, 102.50 feet to the point of BEGINNING.

> Containing 0.0546 acres of land, more or less. Also known as Lot 3, Site 3, Oella in the 1st Election District.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Zoning Variance to permit window to street right-of-way setbacks varying from 18 feet to 24 feet in lieu of the required 25 feet; window to property line setbacks of 2 and 6 feet in lieu of the required 15 feet; and garage/carport to street right-of-way setbacks varying from 19 feet to 21 feet in lieu of the required 22 feet, respectively, for the proposed dwellings on Lots numbered 2 through 7, 10, 14 through 18 and 20 through 30 of Site 3, Oella, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions, which are condi-

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the

wise waived by any Department.

(H Nos tenent to ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

June 23, 1988

tions precedent to the relief granted:

30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition. Compliance with all CRG requirements unless other-

WHITMAN, REQUARDT and CIATES

ZONING DESCRIPTION Lot 4, Site 3, Oella

BEGINNING on the northeast side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 737 feet northwest of Hollow Road and binding along said northeast side the two following courses and distances; (1) Northwesterly along a lourve to the left, having a radius of 151.00 feet, for a distance of 1.94 feet, being subtended by a chord bearing and distance of North 65°00'19" West, 1.94 feet; (2) Northwesterly along a curve to the right, having a radius of 159.00 feet, for a distance of 21.52 feet, being subtended by a chord bearing and distance of North 61°29'40" West, 21.51 feet, thence leaving said northeast side of the proposed Entrance Road and running for lines of division the following three courses and distances, (3) North 42°55'59" East, 113.75 feet; (4) South 47°04'01" East, 22.67 feet; (5) South 42°55'59" West, 107.79 feet to the point of BEGINNING.

Containing 0.0578 acres of land, more or less. Also known as Lot 4, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and & JIATES

June 23, 1988

ZONING DESCRIPTION Lot 5, Site 3, Oella

BEGINNING on the northeast side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 763 feet northwest of Hollow Road and binding along said northeast side the following course and distance, (1) Northwesterly along a curve to the right, having a radius of 159.00 feet, for a distance of 22.83 feet, being subtended by a chord bearing and distance of North 53°30'08" West, 22.81 feet, thence leaving said northeast side of proposed Entrance Road and running for lines of division the following three courses and distances, (2) North 42°55'59" East, 116.30 feet; (3) South 47°04'01" East, 22.67 feet; (4) South 42°55'59" West, 113.75 feet to the point of BEGINNING.

Containing 0.0600 acres of land, more or less. Also known as Lot 5, Site 3, Oella in the 1st Election District.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 ***%**** 887-3353

J. Robert Haines

November 15, 1988

Tami P. Daniel, Esquire Nancy Haas, Esquire Frank, Bernstein, Conaway & Goldman 300 E. Lombard Street Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE 1250' W of the Intersection of Westchester and Hollow Roads 1st Election District - 1st Councilmanic District Charles L. Wagandt - Petitioner

Dear Ms. Daniel & Ms. Haas:

Case No. 89-156-A

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

Dennis F. Rasmussen

1 M Wester on, a ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

cc: Mr. Wesley Daub 2315 St. Paul Street Baltimore, Maryland 21218

People's Counsel

WHITMAN, REQUARDT and CIATES

ZONING DESCRIPTION Lot 6, Site 3, Oella

BEGINNING on the northeast side of the proposed Entrance Road of Site 3. Oella, 42 feet wide at a distance of 789 feet northwest of Hollow Road and binding along said northeast side the following course and distance, (1) Northwesterly along a curve to the right, having a radius of 159.00 feet, for a distance 22.70 feet, being subtended by a chord bearing and distance of North 45°17'54" West, 22.68 feet, thence leaving said northeast side of the proposed Entrance Road and running for lines of division the following three courses and distances, (2) North 42°55'59" East, 115.60 feet; (3) South 47°04'01" East, 22.67 feet; (4) South 42°55'59" West, 116.30 feet to the point of BEGINNING.

> Containing 0.0605 acres of land, more or less. Also known as Lot 6, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and ' CIATES

June 23, 1988

ZONING DESCRIPTION Lot 7, Site 3, Oella

BEGINNING on the northeast side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 814 northwest of Hollow Road and binding along said northeast side the following course and distance, (1) Northwesterly along a curve to the right, having a radius of 159.00 feet, for a distance 23.04 feet, being subtended by a chord bearing and distance of North 37°03'25" West, 23.02 feet, thence leaving said northeast side of the proposed Entrance Road and Irunning for lines of division the three following courses and distances, (2) North 42°55'59" East, 111.60 feet; (3) South 47°04'01" East, 22.67 feet; (4) South 42°55'59" West, 115.60 feet to the point of BEGINNING.

Containing 0.0593 acres of land, more or less. Also known as Lot 7, Site 3, Oella in the 1st Election District.

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ZONING DESCRIPTION Lot 10, Site 3, Oella

BEGINNING on the northeast side of the proposed Entrance Road of Site 3, Della, 42 feet wide at a distance of 864 feet northwest of Hollow Road and binding along said northeast side the following course and distance, (1) Northwesterly along a curve to the left, having a radius of 61.00 feet, for a distance of 12.02 feet, being subtended by a chord bearing and distance of North 68°23'00" West, 12.00 feet, thence leaving said northeast side of the proposed Entrance Road and running for lines of division the following five courses and distances, (2) North 12°20'07" East, 120.55 feet; (3) South 77°39'53" East, 23.21 feet; (4) South 47°04'01" East, 41.71 feet; (5) South 42°55'59" West, 92.55 feet; (6) South 12°45'03" West, 21.59 feet to the point of BEGINNING.

Containing 0.0907 acres of land, more or less. Also known as Lot 10, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and & IATES

June 23, 1988

ZONING DESCRIPTION Lot 14, Site 3, Oella

BEGINNING on the northeast side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 896 feet northwest of Hollow Road and binding along said northwest side the following course and distance, (1) Southwesterly along a curve to the left, having a radius of 61.00 feet, for adistance of 17.51 feet, being subtended by a chord bearing and distance South 63°52'42" West, 17.45 feet, thence leaving said northwest side of the proposed Entrance Road and running for lines of division the four following courses and distances, (2) North 47°04'01" West, 95.50 feet; (3) North 42°55'59" East, 22.67 feet; (4) South 47°04'01" East. 89.00 feet; (5) South 20°28'50" East, 14.24 feet to the point of BEGINNING.

> Containing 0.0507 acres of land, more or less. Also known as Lot 14, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and & STATES

June 23, 1988

ZONING DESCRIPTION Lot 15, Site 3, Oella

BEGINNING on the northeast side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance 907 feet northwest of Hollo: Road and binding along said northwest side the following course and distance, (1) Southwesterly along a curve to the left, having a radius of 61.00 feet, for a distance of 22.82 feet, being subtended by a chord bearing and distance of South 44°56'22" West, 22.68 feet, thence leaving said northwest side of the proposed Entrance Road and running for lines of division the following three courses and distances, (2) North 47°04'01" West, 94.70 feet; (3) North 42°55'59" East, 22.67 feet; (4) South 47°04'01" East, 95.50 feet to the point of BEGINNING.

> Containing 0.0491 acres, more or less. Also known as Lot 15, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and COCIATES

June 23, 1988

ZONING DESCRIPTION Lot 16, Site 3, Oella

BEGINNING on the northeast side of the proposed Entrance Road of Site 3, Cella, 42 feet wide at a distance of 922 feet northwest of Hollow Road and binding along said northwest side the following course and distance, (1) Southwesterly along a curve to the left, having a radius of 61.00 feet, for a distance of 12.02 feet, being subtended by a chord bearing and distance of South 28°34'44" West, 12.00 feet, thence leaving said northwest side of the proposed Entrance Road and running for lines of division the following four courses and distances, (2) North 71°10'34" West, 27.04 feet; (3) North 47°04'01" West, 73.00 feet; (4) North 42°55'59" East, 22.67 feet; (5) South 47°04'01" East, 94.70 feet to the point of BEGINNING.

> Containing 0.0473 acres, more or less. Also known as Lot 16, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and SOCIATES

ZONING DESCRIPTION

Lot 17, Site 3, Oella

BEGINNING on the northeast side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 930 feet northwest of Hollow Road and binding along said west side the following course and distance, (1) Southwesterly along a curve to the left, having a radius of 61.00 feet, for a distance of 12.02 feet, being subtended by a chord bearing and distance of South 17°17'20" West, 12.00 feet, thence leaving said west side of the proposed Entrance Road and running for lines of division the following six courses and distances, (2) North 81°07'24" West, 40.88 feet; (3) South 70°47'30" West, 69.00 feet; (4) North 19°12'30" West, 41.58 feet; (5) North 42°55'59" East, 64.25 feet; (6) South 47°04'01" East, 73.00 feet; (7) South 71°10'34" East, 27.04 feet to the point of BEGINNING.

Containing 0.1142 acres of land, more or less. Also known as Lot 17, Site 3, Oella in the 1st Election District.

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WHITMAN, REQUARDT and CLIATES

June 23, 1988

ZONING DESCRIPTION Lot 18, Site 3, Oella

BEGINNING on the west side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 938 feet northwest of Hollow Road and binding along said west side the following course and distance, (1) Southwesterly along a curve to the left, having a radius of 61.00 feet, for a distance of 12.02 feet, being subtended by a chord bearing and distance of South 05°59'56" West, 12.00 feet, thence leaving said west side of the proposed Entrance Road and running for lines of division the following five courses and distances, (2) North 81°10'34" West, 15.82 feet; (3) South 70°47'30" West, 85.99 feet; (4) North 19°12'30" West, 22.67 feet; (5) North 70°47'30" East, 69.00 feet; (6) South 81°07'24" East, 40.88 feet to the point

> Containing 0.0481 acres of land, more or less. Also known as Lot 18, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and & LIATES

June 23, 1988

ZONING DESCRIPTION Lot 20, Site 3, Oella

BEGINNING on the southwest side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 956 feet northwest of Hollow Road and binding along said southwest side the following course and distance, (1) Southeasterly along a curve to the left, having a radius of 61.00 feet, for a distance of 22.93 feet, being subtended by a chord bearing and distance of South 25°05'39" East, 22.79 feet, thence leaving said southwest side of the proposed Entrance Road and running for lines of division the following three courses and distances, (2) South 70°47'30" West, 99.00 feet; (3) North 19°12'30" West, 22.67 feet; (4) North 70°47'30" East, 96.66 feet to the point of BEGINNING.

Containing 0.0505 acres, more or less. Also known as Lot 20, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and / ...IATES

June 23, 1988

ZONING DESCRIPTION Lot 21, Site 3, Oella

BEGINNING on the southwest side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 971 feet northwest of Hollow Road and binding along said southwest side the following course and distance, (1) Southeasterly along a curve to the left, having a radius of 61.00 feet, for a distance of 25.63 feet, being subtended by a chord bearing and distance of South 47°52'53" East, 25.44 feet, thence leaving said southwest side of the proposed Entrance Road and running for lines of division the following five courses and distances, (2) South 44°12'32" West, 30.42 feet; (3) South 59°46'26" West, 60.63 feet; (4) North 47°04'01" West, 52.43 feet; (5) North 19°12'30" West, 1.16 feet; (6) North 70°47'30" East, 99.00 feet to the point of BEGINNING.

> Containing 0.0852 acres, more or less. Also known as Lot 21, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and / JIATES

June 23, 1988

June 23, 1988

ZONING DESCRIPTION Lot 22, Site 3, Oella

BEGINNING on the southwest side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 988 feet northwest of Hollow Road and binding along said southwest side the following course and distance, (1) Southeasterly along a curve to the right, having a radius of 159.00 feet, for a distance of 37.29 feet, being subtended by a chord bearing an' distance of South 53°13'00" East, 37.21 feet, thence leaving said southwest side of the proposed Entrance Road and running for lines of division the following four courses and distances, (2) South 42°55'59" West, 92.42 feet; (3) North 47°04'01" West, 55.23 feet; (4) North 59°46'26" East, 60.63 feet; (5) North 44°12'32" East, 30.42 feet to the point of BEGINNING.

> Containing 0.0903 acres, more or less. Also known as Lot 22, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and CIATES

ZONING DESCRIPTION Lot 23, Site 3, Oella

BEGINNING on the southwest side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 1030 feet northwest of Hollow Road and binding along said southwest side the following course and distance, (1) Southeasterly along a curve to the right, having a radius of 159.00, for a distance of 22.77 feet, being subtended by a chord bearing and distance of South 42°23'45" East, 22.75 feet, thence leaving said southwest side of the proposed Entrance Road and running for lines of division the following three courses and distances, (2) South 42°55'59" West, 90.57 feet; (3) North 47°04'01" West. 22.67 feet; (4) North 42°55'59" East, 92.42 feet to the point of BEGINNING.

Containing 0.0478 acres, more or less. Also known as Lot 23, Site 3, Oella in the 1st Election District. WHITMAN, REQUARDT and

ZONING DESCRIPTION Lot 24, Site 3, Oella

BEGINNING on the southwest side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 1056 feet northwest of Hollow Road and binding along said southwest side the two following courses and distances, (1) Southeasterly along a curve to the right, having a radius of 159.00, for a distance of 3.15 feet, being subtended by a chord bearing and distance of South 37°43'35" East, 3.15 feet; (2) Southeasterly along a curve to the left, having a radius of 91.00 feet, for a distance of 19.64 feet, being subtended by a chord bearing and distance of South 43°20'32" East, 19.60 feet, thence leaving said southwest side of the proposed Entrance Road and running for lines of division the following three courses and distances (3) South 42°-55'59" West, 88.79 feet; (4) North 47°04'01" West, 22.67 feet; (5) North 42°55'59" East, 90.57 feet to the point of BEGINNING.

Containing 0.0464 acres, more or less. Also known as Lot 24. Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT an. ... SOCIATES

June 23, 1988

ZONING DESCRIPTION Lot 25, Site 3, Oella

BEGINNING on the southwest side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 1075 feet northwest of Hollow Road and binding along said southwest side the following course and distance, (1) Southeasterly along a curve to the left, having a radius of 91.00 feet, for a distance of 16.94 feet, being subtended by a chord bearing and distance of South 54°51'25" East, 16.91 feet, thence leaving said southwest side of the proposed Entrance Road and running for lines of division the following four courses and distances (2) South 27°55'59" West, 22.86 feet; (3) South 42°-55'59" West, 69.00 feet; (4) North 47°04'01" West, 22.67 feet; (5) North 42°55'59" East, 88.79 feet to the point of BEGINNING.

Containing 0.0454 acres, more or less. Also known as Lot 25, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and JCIATES

June 23, 1988

ZONING DESCRIPTION Lot 26, Site 3, Oella

BEGINNING on the southwest side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 1088 feet northwest of Hollow Road and binding along said southwest side the following course and distance, (1) Southeasterly along a curve to the left, having a radius of 91.00 feet, for a distance of 13.11 feet, being subtended by a chord bearing and distance of South 64°18'58" East, 13.10 feet, thence leaving said southwest side of the proposed Entrance Road and running for lines of division the following six courses and distances (2) South 14°43'14" West, 34.00 feet; (3) South 12°-10'42" East, 78.00 feet; (4) South 77°49'18" West, 24.85 feet; (5) North 47°04'01" West, 72.44 feet; (6) North 42°55'59" East, 69.00 feet; (7) North 27°55'59" East, 22.86 feet to the point of BEGINNING.

Containing 0.1047 acres, more or less. Also known as Lot 26, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and : CIATES

June 23, 1988

ZONING DESCRIPTION Lot 27, Site 3, Oella

BEGINNING on the south side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 1098 feet northwest of Hollow Road and binding along said south side the following course and distance, (1) Southeasterly along a curve to the left, having a radius of 91.00 feet, for a distance of 12.01 feet, being subtended by a chord bearing and distance of South 72°13'30" East, 12.00 feet, thence leaving said south side of the proposed Entrance Road and running for lines of division the five following courses and distances, (2) South 13°59'39" West, 7.05 feet; (3) South 12°-10'42" East, 96 feet; (4) South 77°49'18" West, 22.67 feet; (5) North 12°-10'42" West, 78 feet; (6) North 14°43'14" East, 34.00 feet to the point of

> Containing 0.0509 acres, more or less. Also known as Lot 27, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and CIATES

June 23, 1988

ZONING DESCRIPTION Lot 28, Site 3, Oella

BEGINNING on the south side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 1107 feet northwest of Hollow Road and binding along said south side the following course and distance, (1) Southeasterly along a curve to the left, having a radius of 91.00 feet, for a distance of 20.81 feet, being subtended by a chord bearing and distance of South 82°33'26" East, 20.77 feet, thence leaving said south side of the proposed Entrance Road and running for lines of division the four following courses and distances, (2) South 12°10'42" East, 95.36 feet; (3) South 77°49'18" West, 22.67 feet; (4) North 12°10'42" West, 96.00 feet; (5) North 13°59'39" East, 7.05 feet to the point of SEGINNING.

Containing 0.0513 acres, more or less. Also known as Lot 28, Site 3, Oella in the 1st Election District. WHITMAN, REQUARDT and CLIATES

June 23, 1988

ZONING DESCRIPTION Lot 29, Site 3, Oella

BEGINNING on the south side of the proposed Entrance Road of Site 3, Oella, 42 feet wide at a distance of 1123 feet northwest of Hollow Road and binding along said south side the following course and distance, (1) Northeasterly along a curve to the left, having a radius of 91.00 feet, for a distance of 22.85 feet, being subtended by a chord bearing and distance of North 83°41°54" East, 22.79 feet, thence leaving said south side of the proposed Entrance Road and running for lines of division the three following courses and distances, (2) South 12°10'42" East, 93.02 feet; (3) South 77°49'18" West, 22.67 feet; 94) North 12°10'42" West, 95.36 feet to the point of BEGINNING.

> Containing 0.0439 acres, more or less. Also known as Lot 29, Site 3, Oella in the 1st Election District.

WHITMAN, REQUARDT and DCIATES

NOTICE OF HEARING

The Zoning Commissioner of Battimore County, by authority of the Zoning Act and Regulations of Battimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as fol-

Petition for Zoning Variance Case number: 89-156-A 1250' ± W Intersection of Westchester & Hollow Rds 1st Election District 1st Councilmanic

Petitioner(s): Charles L. Wagandt Hearing Date: Tuesday, Oct. 25, 1988 at 10:00 a.ri

Variance to permit setback for

ine (15'); and garage/car

tively for the proposed di

ellings on lots numbered a through 7, 10, 14 through 18, 20 through 30 of Site 3, Oella.

missioner will, however, enterta any request for a stay of the suance of said permit during this period for good cause show

and received in this office by

ented at the hearing.

9/554 Oct. 5.

J. ROBERT HAINE

Zoning Commissioner of Baltimore Count

June 23, 1988

ZONING DESCRIPTION Lot 30, Site 3, Oella

BEGINNING on the south side of the end of the proposed Entrance Road to Site 3, Oella, 42 feet wide at a distance of 1141 feet northwest of Hollow Road and binding along said south side the two following courses and distances (1) Northeasterly along a curve to the left, having a radius of 91.00 feet, for a distance of 28.37 feet, being subtended by a chord bearing and distance of North 67°34'23" East, 28.26 feet; (2) South 76°17'47" East, 21.75 feet, to the point where the road loops back upon itself, thence binding reversely along the west side of the proposed Entrance Road the two following courses and distances, (3) Southeasterly along a curve to the right, having a radius of 109.00 feet, for a distance of 67.57 feet, being subtended by a chord bearing and distance of South 05°18'56" East, 66.49 feet; (4) Southwesterly along a curve to the left, having radius 121.00 feet, for a distance of 23.88 feet, being subtended by a chord bearing and distance of South 06°47'25" West, 23.84 feet, thence leaving said west side of the proposed Entrance Road and running for lines of division the following two courses and distances (5) south 77°49'18" West, 31.68 feet; (6) North 12°10'42" West, 93.02 feet to the point of BEGINNING.

Containing 0.0954 acres, more or less. Also known as Lot 30, Site 3, Oella in the 1st Election District.

> CERTIFICATE OF PUBLICATION THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on $Ocf \cdot 5$, 19 B.

> > THE JEFFERSONIAN,

< Zake Oliman

89-156-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

strict 1 St. sted for: Variance	Date of Posting October 3 1988
sted for: // Aviance	
eitioner: Charles L. Wagar	rdt
cation of property: 1250' W Intersect	rdt tion of Westchester and Hollow
Roado	
	Road approx. 600' north of
Westchester arenue	
marks:	
sted by S. J. Arata Signature	Data of return Getober 7, 1988
- Organisate	

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines
Zoning Commissioner

Della Company 732 Della Avenue

Ellicott City, Maryland 21043 Petition for Zoning Variance

CASE NUMBER: 89-156-A 1250'±W Intersection of Westchester and Hollow Roads 1st Election District - 1st Councilmanic Petitioner(s): Charles L. Wagandt HEARING SCHEDULED: TUESDAY, OCTOBER 25, 1988 at 10:00 a.m.

Please be advised that ____ is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. ROBERT HAINES Zoning Commissioner Baltimore County

JRH:gs Tami 🤄 Daniel, Esq.

Baltimore County
Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

August 24, 1988

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 480, 5, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 23, 25, 26, 28, 29, 30, 31, 32, 33, 36, 37, 38, 39 and 40.

> Stephen E. Weber, P.E. Assistant Traffic Engineer

SEW/kF/lab



Dennis F. Rasmussen

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

NOTICE OF HEARING

Dennis F. Rasmussen County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

> Petition for Zoning Variance CASE NUMBER: 89-156-A 1250'±W Intersection of Westchester and Hollow Roads 1st Election District - 1st Councilmanic Petitioner(s): Charles L. Wagandt HEARING SCHEDULED: TUESDAY, OCTOBER 25, 1988 at 10:00 a.m.

Variance to permit setback requirements as indicated on the plat attached hereto instead of the required (1) window to street right -of-way (25'); (2) window to property line (15'); and garage/carport to street right-of-way (22'), respectively for the proposed dwellings on lats numbered 2 through 7, 10, 14 through 18, 20 through 30 of Site 3, Della.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

> Oella Company Whitman, Requardt & Associates Tami P. Daniel, Esq.

> > BARIMORE COUNTY, MARYLAND

RECEIVED ZONING OFFICE INTER-OFFICE CORRESPONDENCE DATE:

Date October 24, 1988

J. Robert Haines TO Zoning Commissioner Pat Keller, Deputy Director FROM Office of Planning and Zoning

SUBJECT Zoning Petition Nos. 89-147-A (Manning); 89-154-A (Wagner); 89-156-A (Wagandt); and 89-162-SPH (Conkel)

The Office of Planning and Zoning has no comment on the above petitions,

* The variances shall only apply to the structure as shown (size and location) and will not be uniformly applied to the lot. The variances will not be applied to any substantial deviation from the construction as shown.

PK/sf

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500

Paul H. Reincke August 2, 1988

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Re: Property Owner: Charles L. Wagandt Location: 1,250' W. +- of the intersection of Westchester and Hollow Roads Zoning Agenda: Meeting of 8/2/88 Item No.: 23

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

($_{
m X}$) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Road shall be 24 feet in width to allow for Fire Dept. access.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Cattle Volly 7-15-86 Approved:

Planging Group
Special Inspection Division

Noted and
Approved:

Fire Prevention Bureau

Special Inspection Division

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 18, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Frank, Bernstein, Conaway & Goldman 300 East Lombard Street Baltimore, Maryland 21202

Tami P. Daniel, Esquire

Bureau of Engineering

Department of Traffic Engineering State Roads Commission Bureau of

Fire Prevention Realth Department Project Planning **Building Department** Board of Education Zoning Administration Industrial

Dear Ms. Daniel: The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with

RE: Item No. 23 - Case No. 89-156-A

Petitioner: Charles L. Wagandt

Petition for Zoning Variance

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

recommendations as to the suitability of the requested zoning.

Very truly yours,

Chairman Zoning Plans Advisory Committee

cc: Whitman, Requardt and Associates 2315 St. Paul Street Baltimore, Maryland 21218

FRANK, BERNSTEIN, CONAWAY & GOLDMAN

10227 WINCOPIN CIRCLE COLUMBIA, MARYLAND 21044 (301) 730-9477 7799 LEESBURG PIKE TYSONS CORNER, VIRGINIA 22043

(703) 893-4670

300 EAST LOMBARD STREET BALTIMORE, MARYLAND 21202 (301) 625-3500 (703) 556-9676 TELECOPIER: (301) 625-3702 CABLE: FRASKOP TELEX: 87939

118 WEST CHURCH STREET FREDERICK, MARYLAND 21701 (30) 663-5335 6701 DEMOCRACY BOULEVARD BETHESDA, MARYLAND 20817 (301) 897-8282

(30) 625- 3706

November 2, 1988

HAND DELIVERY

Ann M. Nastarowicz, Esquire Deputy Zoning Commissioner County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

RECEIVED ZONING OFFICE

Re: Petition for Zoning Variance Case Number: 89-156-A Hearing: Tuesday, October 25, 1988 Petitioner: Charles L. Wagandt

Dear Ms. Nastarowicz:

Enclosed are the following supplemental items you requested at the close of the above-referenced hearing:

 Copies of the County Review Group ("CRG") Approvals for Oella dated March 6, 1985 (extension), April 16, 1986 (amended plan (Site 8 only)) and July 13, 1988 (revised amended plan).

2. Minutes of the CRG meetings held on April 6, 1983 and October 13, 1983.

3. Subdivision Review Comments dated April 28, 1986.

We would like to bring to your attention one of the "General Comments" contained in the April 6, 1983 Subdivision Review Comments (attached to the April 6, 1983 CRG Minutes) in which the Department of Public Works indicated that it would support "waiver" requests "where meeting County Standards are not possible or would create extreme hardship [b]ecause of the extreme topography and the existing physical restraints in the area. While this comment was directed at road and right-of-way widths, we believe it is illustrative of the Oella community as a whole, including the variances requested in the Petition.

FRANK, BERNSTEIN, CONAWAY & GOLDMAN Ann M. Nastarowicz, Esquire November 2, 1988 Page 2

We are also enclosing a copy of the Agreement of Intent dated January 25, 1983, between Baltimore County and Oella Company. In Paragraph 6 of the Agreement Baltimore County agrees to assist Oella Company in "procuring the necessary variances to achieve appropriate goals for old and new housing"

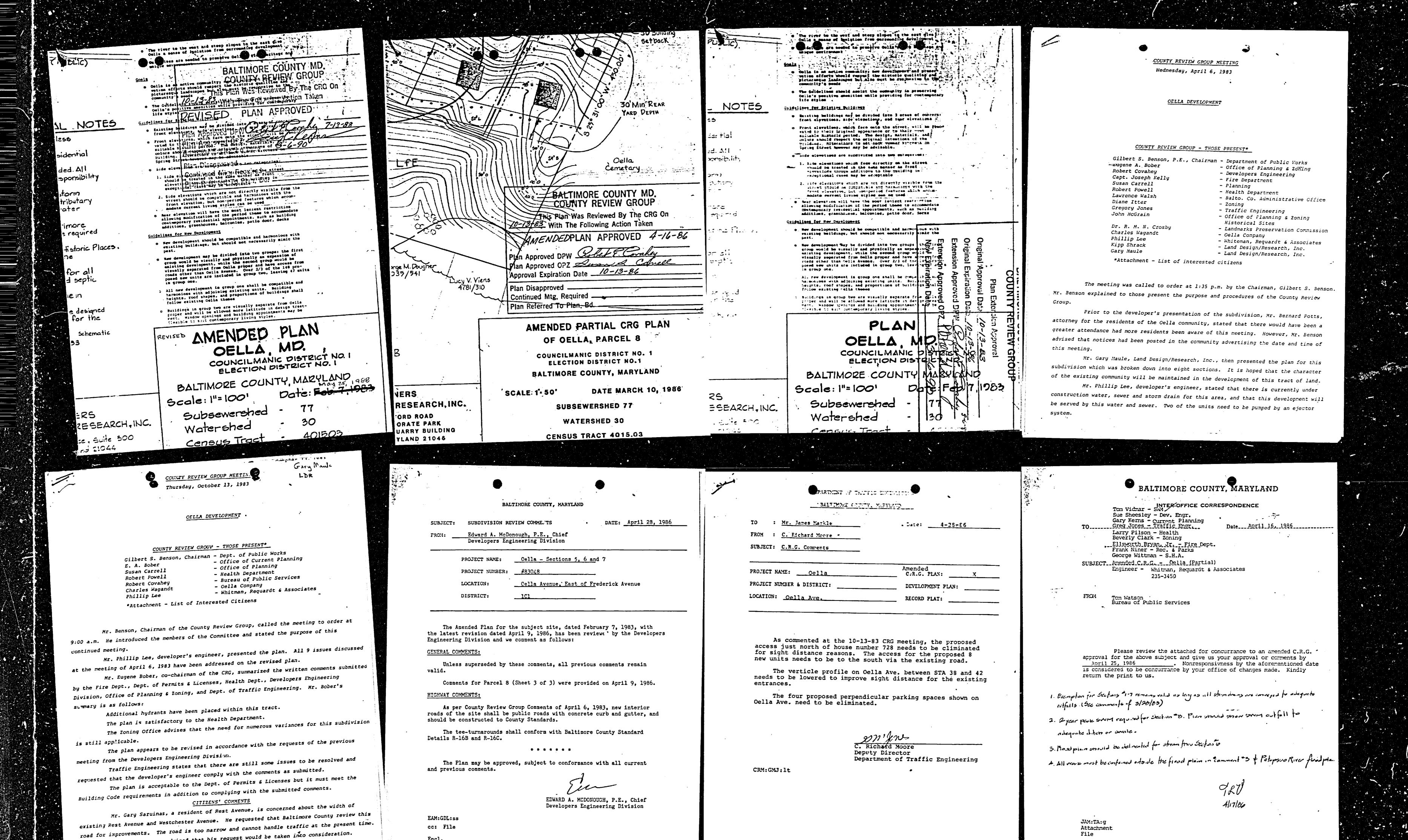
We hope that the enclosed information will be helpful to you in reaching a decision on the above-referenced Petition. Please do not hesitate to call if you have further questions.

Thank you for your consideration.

Very truly yours,

Nancy Hars

NH/klm enclosure cc: Mr. Charles Wagandt Mr. Wesley Daub Tami P. Daniel, Esquire



Attachment

File

cc: File

Encl.

Mr. Saruinas was advised that his request would be taken into consideration.

Haas ba Tami Ecniel

Charles Wagandt Petitioner

Wesley Daub, Civil Engineer

Frank, Bernskin, Conaway & Goldman 300 E. Sambord Street Balto. 4d 21202 Frank Bernstein, Conaway & Foldman 300 F. Tombord Street, Bolto ud 21202 732 Cella Avenue, Elliat Chy Hd 210+3 2315 St. Pool Sh Bolt, Hd 21218

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE
Tom Vidmar - SWA Sue Sheesley - Dev. Engr.

Gary Kerns - Current Planning

Greq Jones - Traffic Engr. Beverly Clark - Zoning Fllsworth Bryan, Jr. - Fire Dept. Frank Niner - Rec. & Parks George Wittman - S.H.A. Arended C.R.G. - Oella (Partial) Engineer - Whitman, Requardt & Associates

Tom Watson Bureau of Public Services

Please review the attached for concurrance to an amended C.R.G. approval for the above subject and give us your approval or comments by Dril 25, 1936 . Nonresponsivness by the aforementioned date is considered to be concurrance by your office of changes made. Kindly

THE OFFICE OF PLANNING HIS POLLOWING COMMENTS ON PLOPOSED AMENDED PLAN:

SPEED LETTER

DO NOT MESITATE TO CALL OR WRITE,

THE WAS TON YOUR SHITTERY.

> SHOW LOCATION OF 4 SINGLE FAMILY UNITS.

2) DIMENSION BUFFER AREA 3) ADD NOTE ON DUFFER AREA PLANTING AS FER LANDSCAPE MILL.

PORTIONS OF 5,6,7

D PROVIDE LOOP IN REAR OF UNITS # 728 - 780, AS R.
APPROVED PLAN (FOR CIRCULATION + COMERCENCY ACCESS) 2) ROWE FERPONICULAR PKG, ON CURIE NOTICENT TO # 702 (COULD USE PARALLEL . F OX. LIT DIE.)

IN THE INTEREST OF SPEED AND

ECONOMY, WE ARE REPLYING TO YOUR

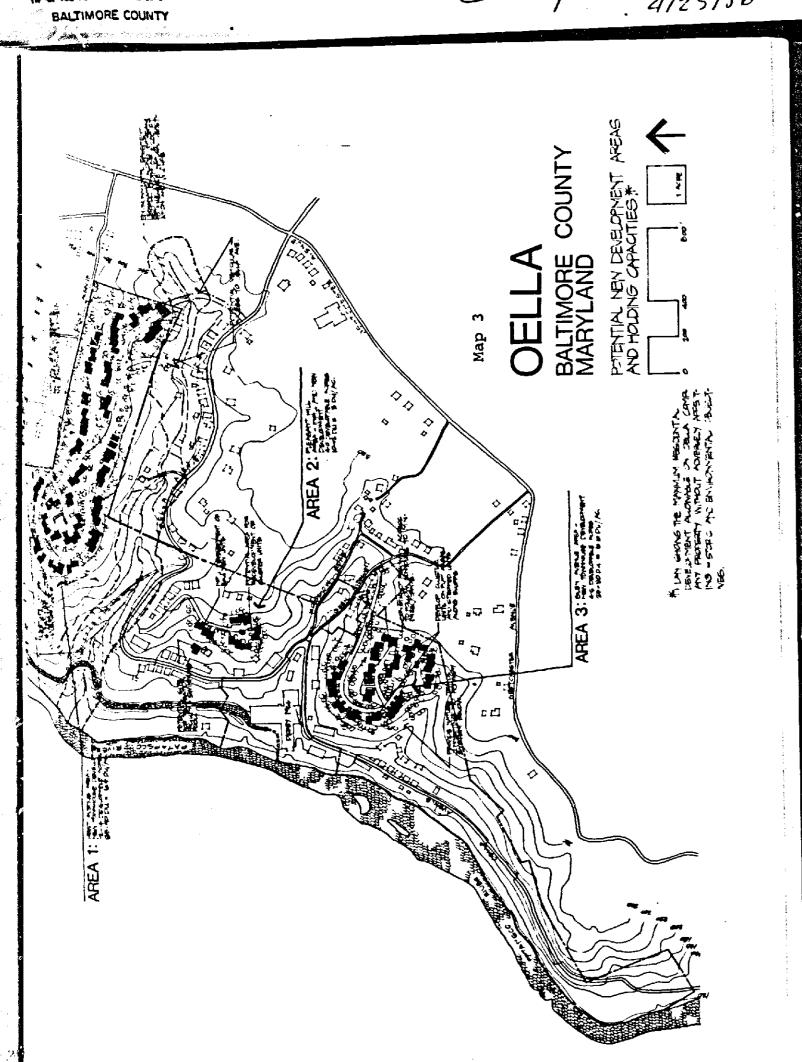
INT 3) CLARIFY ACCESS EASENEOUTS ADJACENTTO UNIT 4722

LETTER WITH RAMEINAL HOTER.

18 THE HERE INFORMATION.

18 THE HERE INFORMATION.

Eary L. Kerns 1/25/56



AGREEMENT OF INTENT

WHEREAS, Baltimore County has undertaken the provision of public water and sewer to the residents of Oella in order to eliminate the potential health hazard to the current residents of Oella; and

WHEREAS, the State of Maryland conditioned its approval of funds for the Oella sewer project on the condition that the major landlord in the area would affirm that rents would not be increased unduly and that tenants would not be forced out after modern conveniences are added; and

WHEREAS, Oella Company is a major property owner in Oella; and

WHEREAS, Oella Company has always had as one of its goals the continued availability of housing resources at affordable rents for long-term residents; and

WHEREAS, Oella Company desires to work with Baltimore County on the construction of adequate water and sewer facilities and desires to work with Baltimore County so that the installation of such facilities will not create an undue economic hardship; and

WHEREAS, Baltimore County has secured federal and state funds and applied such funds to the Oella water and sewer project so that the normal deficit would not apply to this project, and this federal funding results in a potential net economic benefit to property owners in Oella;

WHEREAS, Baltimore County offered the community a commitment that the installation of water and sewer should not result in the displacement of long-term residents from Oella; and

WHEREAS, Baltimore County has developed assistance programs for low and moderate income homeowners in Oella; and, Baltimore County and Oella Company desire to assist long-term renters in Oella to remain in is economically feasible.

NOW, THEREFORE, in consideration of the premises, on this 25th day of January , 1983, Baltimore County, Maryland, a body corporate and politic, and Oella Company agree as follows:

OCT 21 '88 13:50 FROM WHITMAN REQUARDT

MAY 25 1988 + } METANN, PERSANST & ASSIGNUS

PAGE.001

May 20, 1988

Office of Planning & Zoning

Towson, Maryland 21204

P. David Fields

Whitman, Requardt and Associates 2315 St. Paul Street To: Tami Daniel Dennis F. Rasmusse. Baltimore, Maryland 21218

Re: Oella Site 3 Hollow Road µ-88-116

Dear Sir:

We have reviewed your waiver application for the above property and have determined that a waiver for the Public Works Standards would be within the scope, purpose and intent of the Development Regulations of Baltimore County [Grant waiver of Public Works Standards with the following conditions: that no on-street parking be allowed along the entrance road and on-site loop roadland is therefore approved. This development shall comply with all other applicable laws, rules and regulations of with all other applicable laws, rules and regulations of Baltimore County (Section 22-51). Should you have any questions, please contact Gary Kerns, Chief, Current Planning and Development, at 494-3335.

NOTE: This waiver approval letter <u>shall be</u> presented by the applicant when applying for a building permit.

P. David Fields Director of Planning and Zoning

cc: James A. Markle
Robert Bowling
File

1. Baltimore County will apply the Community Development Block Grant funding to eliminate the water deficit charge to properties owned by the Oella Company;

- 2. Baltimore County will apply EPA funds to eliminate the sewer deficit charge to properties owned by the Oella Company;
- 3. Baltimore County shall make available long-term low interest financing to Oella Company, under the provisions of Section 34-62 of Baltimore County Code (1978 Edition), for the financing of all of the water and sewer connections and plumbers' charges that will be incurred by Oella Company as a result of connecting the buildings existing on properties owned by the Oella Company as of the date of this agreement to the water and sewer system installed and to be installed by Baltimore County in Oella;
- 4. Baltimore County will (a) make available the necessary rent subsidies to low and moderate income families of Cella; (b) seek MIRP funds on behalf of the Oella Company and designate the processing of such applications as a priority for the County;
- 5. In return for the provision of the low-interest financing, the Oella Company agrees to take all reasonable efforts to continue to rent or sell its properties to long-term tenants (defined herein as being those tenants who have continuously rented from the Oella Company and W.J. Dickey & Sons, Inc., since 1968), and to not terminate leases with long-term tenants for at least six (6) years solely as a result of the existence of new water and sewer facilities. Should there be a problem tenant or a problem caused by a tenant, the lamilord agrees to consult with the County Housing Office and, in accordance with appropriate state and federal legislation, will make every reasonable effort to enable the tenant to correct said problem prior to termination of the Lease.
- 6. Oella Company and Baltimore County agree to work together on a long-range development scheme for the Oella Community of predominantly owner occupants, assisting long-term tenants in remaining in economically viable and affordable housing, creating the means to preserve and enhance the historic, architectural and natural environment of the community, working in accordance with the general guidelines of the Cella Master Plan

OCT 21 '88 13:50 FROM WHITMAN REQUARDI

PAGE.002

STATEMENT: SPECIFYING NATURE OF HARDSHIP OELLA - SITE 3

Waiver of Standards to Allow a 22' Wide Road

The construction of a standard Baltimore County 30 foot width entrance road and on-site loop road would result in excessive grading and therefore an road and on-site loop road would result in excessive grading and therefore an unsightly transformation of the hilly topography of Oella and be out of character with the existing narrow roads, sharp curves and steep grades of this historic community. The unnecessary paving in the loop road would crowd the residences already rigidly confined to a building envelope limited by the residential transition zone setbacks and steep terrain. All that would be residential transition zone setbacks and steep terrain. All that would be seen between the circle of homes facing each other wold be vast areas of seen between the circle of homes facing each other wold be vast areas of asphalt and concrete. The trips per day for a community of 30 homes hardly seems to justify a 30-foot wide private road and the large cost per house to construct such a road. construct such a road.

Waiver of Standards to Allow 4' Wide Shoulders

The enclosed proposed entrance road profile shows the necessity of a deep excavation from centerline station 1+50 to 4+00. This deep cut cannot be excavation from centerline station 1+50 to 4+00. This deep cut cannot be lessened except by violating other important design constraints. We therefore request the option of constructing 4 foot wide shoulders and side slopes of 1.85 to 1 to avoid having to construct the prohibitively expensive retaining walls that a 10 foot wide shoulder would require. The 4 foot wide shoulders would be needed from centerline station 1+42 to 3+95 only; all other areas would have full 10' width shoulders.

Waiver of Standards to Allow for a 40' and a 70" Horizontal Centerline Radius and a 73' Horizontal Curve Length in the Loop Road.

As was indicated above, the residential transition zone setback requirements and steep terrain greatly restrict the area permitted for the loop road, creating the need for the smaller curve radii and shorter curve length. These creating the need for the smaller curve radii and shorter curve length. Inese curves can still accommodate the required AASHO Design Vehicle. If the radii of the curves have to be increased the number of proposed units would be significantly reduced making the development of Site 3 economically infor the revitalization and development of the Cella area and assisting the Oella Company in procuring the necessary variances to achieve appropriate goals for old and new housing, recognizing that none of the above paragraph can be construed as a financial commitment on the part of the Oella Company or the County or its County Council, except as herein expressly provided

7. Oella Company and Baltimore County agree to meet on a regular basis to work towards the achievement of the goals set forth in this Agreement, to seek an improved quality of life for this and future generations of Oella, to implement said goals in terms and conditions that Oella Company and Baltimore County agree upon, determined by such factors, including but not limited to, available sources of private financing, available sources of public funds, economic feasibility of the development scheme, necessary governmental approvals, and market feasibility.

IT IS FURINER AGREED, that if the Oella Company should choose not to fulfill the conditions above for and during the next six (6) years from the date of this Agreement, then the County thereafter will have the right, at its election, to withdraw and terminate the long-term low interest financing for the water and sewer connections and plumbers' charges set forth in Paragraph 3 hereof.

THIS AGREEMENT shall be binding on the parties, their successors, survivors and assigns; and shall not be considered a waiver by either party of any cause of action or right which one party may have against the other, now or in the future.

IN WITNESS WHEREOF, the parties have executed this Agreement of Intent the day and year first above written.

REVIEWED FOR FORM AND LEGAL SUFFICIENCY AND APPROVED FOR EXECUTION

OCT 21 '88 13:51 FROM WHITMAN REQUARDT

Baltimore County Office of Planning and Zoning
Room 105 County Office Building
Towson, Maryland 21204

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	3. Owner	(s) address an	d phone nu	poer 732	<u>Nella Ave</u>	enue, Elli	cott Ci	* \/ / / ; t	21043
	4. Appli	cant's name (1	f other th	an owner) Wh	itman. Re	equardt an	d Assoc	iates ~ '	
	5. Appli	tant's address	and phone	number 23]	5 St. Pau	<u>ıl St., Ba</u>	ltoMd	.21218(2	<u>235</u> -34
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	19	t wii Tikana	V. 1-4						

(3)	development. The subdivision of land in an approved agricultural land preservation district for the purpose of the conveyance of lot(s) to the owner or his children pursuant to Title 2. Subtitle 5 of the Agriculture Article of the Annotated Code of Maryland. The subdivision of a farm tract into two lots.
(5) (6) (7) (7) (9) (10) (11) (12) (13)	The subdivision of land in an R.C. zone if no new roads are required. The subdivision of land into three or fewer lots for residential single-family dwe a commercial development of land involving only one building for a single use. An industrial development of land involving only one building for a single use. A minor development. The construction of public buildings. The construction of accessory structures. Any proposed development, if the Director finds that compliance with these regular would cause unnecessary bardship. ATTACH STATEMENT SPECIFYING NATURE OF MARDSHIP
Nature of Waiv	Waiver of Plan
	Waiver of Plat Waiver of Standard(s), specify which standard(s) is being requested to be waived and reasons: See attached Statement

	and reasons: See attached	statement
Statuss	Approved W/Combitton	P.D. Tello
<u> </u>	Approved W/CWDITION Amended Denied	Baltimore County Flanning &

5/19/88

